HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION
Dated Nainital the 22nd day of June, 2005
Criminal Misc. Bail Application No. 322 of 2005
Order on the bail application of the accused.

CRIMINAL SIDE

Sanjay Chaudhary
S/o Shri Dwarika Prasad Chaudhary,
R/o Talla Krishnapur, Tallital, Nainital
..... Accused/ Applicant
(in jail)

Versus

State of Uttaranchal ..... Respondent

Case crime No. 1352 of 2004
Under Sections 8/20/22 The NDPS Act 1985,
Police Station Tallital, Nainital
District Nainital

BY THE COURT

Hon'ble J.C.S. Rawat, J.

Heard Sri P.C. Bisht, learned counsel for the applicant and learned A.G.A. for the State.

The accused has been challaned under Section 8/20/22 of N.D.P.S. Act, 1985. The recovery of the accused was made in presence of the Gazetted Officer and 1 Kg. and 100 gm. of Charas has been alleged to have been recovered from his possession. This is a commercial quantity. It is also pointed out that the accused has also been convicted by learned Additional Sessions Judge under the same N.D.P.S. Act against which the appeal is pending for disposal before the Court. Considering the totality, under the facts and circumstances of the present case, it is not a fit case for the bail.

The bail application is rejected accordingly.

(**J.C.S. Rawat, J.)**

Dated: 22.06.2005
Rajeev Dang